

1 QUINN EMANUEL URQUHART OLIVER & HEDGES, LLP

2 Shon Morgan (Bar No. 187736)

3 shonmorgan@quinnemanuel.com

4 Scott Watson (Bar No. 219147)

5 scottwatson@quinnemanuel.com

6 865 South Figueroa Street, 10th Floor

Los Angeles, California 90017-2543

Telephone: (213) 443-3000

Facsimile: (213) 443-3100

7 Attorneys for Defendant International  
8 Business Machines Corporation

9  
10 UNITED STATES DISTRICT COURT  
11 NORTHERN DISTRICT OF CALIFORNIA  
12 SAN JOSE DIVISION

13 RSI CORP., dba RESPONSIVE  
14 SYSTEMS COMPANY, a New Jersey  
corporation,

15  
16 Plaintiff,

17 vs.

18 INTERNATIONAL BUSINESS  
19 MACHINES CORPORATION; and  
20 DOE DEFENDANTS 1-20,

21 Defendants.  
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CASE NO. 5:08-cv-3414 (HRL)

**PROOF OF SERVICE**

Ctrm.: 2, 5th Floor  
Judge: Hon. Howard R. Lloyd

**PROOF OF SERVICE**

I am employed in the County of Los Angeles, State of California. I am over the age of eighteen years and not a party to the within action; my business address is 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543.

On July 17, 2008, I served true copies of the following document(s) described as **DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT COURT JUDGE** on the parties in this action as follows:

*Counsel for Plaintiff RSI Corp.*

Robert D. Triantos  
Edmund W.K. Haituka  
**Carlsmith Ball LLP**  
75-1000 Henry St. Ste. 209  
Kailua-Kona, HI 96740

**BY MAIL:** I enclosed the foregoing into sealed envelope(s) addressed as shown above, and I deposited such envelope(s) in the mail at Los Angeles, California. The envelope was mailed with postage thereon fully prepaid.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

Executed on July 17, 2008, at Los Angeles, California.

  
Mariko Miyoshi